

JEFFEREY ALAN-WILSON, SR.,	:	Order Denying Petition for
Appellant	:	Reconsideration
	:	
v.	:	Docket Nos. IBIA 95-119-A
	:	IBIA 95-120-A
SACRAMENTO AREA DIRECTOR,	:	IBIA 95-121-A
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	May 7, 1997

Jefferey Alan-Wilson, Sr. (Wilson), has petitioned for reconsideration of an order issued by the Board of Indian Appeals (Board) on April 1, 1997. 30 IBIA 263. The issue on which Wilson seeks reconsideration is the Board's conclusion that no timely appeal had been filed concerning a fee-to-trust acquisition request.

In support of his petition, Wilson repeats arguments which the Board considered and rejected in issuing its first decision. As now stated, Wilson contends that his appeal from the Sacramento Area Director's decision, "in essence" constituted an appeal from each aspect of that decision.

The Board cannot accept this argument. As noted in footnote 1 of the Board's first decision, 30 IBIA at 263, Wilson's Notice of Appeal specifically stated that it sought review of four aspects of the Area Director's decision. The fee-to-trust acquisition was not listed.

Reconsideration of Board decisions is governed by 43 C.F.R. § 4.315(a) which states in pertinent part: "Reconsideration of a decision of the Board will be granted only in extraordinary circumstances." The Board has consistently held that extraordinary circumstances are not present when a petition repeats the same arguments that were made and considered before. Brooks v. Muskogee Area Director, 25 IBIA 96 (1994); Estate of Little Snake (John Smith), 24 IBIA 153 (1993), and cases cited therein.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, Wilson's Petition for Reconsideration is denied.

Kathryn A. Lynn
Chief Administrative Judge

Anita Vogt
Administrative Judge